

comply with Patent Office requirements and advance prosecution of the application.

The examiner objected to the information disclosure statement as not including a US Patent reference cited in the specification. The undersigned agrees that this US Patent reference was mistakenly omitted from the information disclosure statement, but notes this reference has been cited by the examiner on Form 892 therefore it has been considered by the Patent Office.

The examiner objected to the drawings as not disclosing the features claimed in claims 14 and 16. With this amendment these claims have been cancelled effectively traversing this objection.

The examiner objected to spelling errors in the specification. The first spelling error on page 2 has been corrected by this amendment. It is respectfully submitted that the second alleged spelling error is not an error. The term "trough" is correct in referring to a channel 38 in which the auger 36 is located.

The examiner rejected claims 1 and 3-21, under 35 USC 112, as being indefinite for various terminology. With this amendment the terminology cited by the examiner in these claims has been corrected.

The examiner rejected claims 1-4 and 20-21, under 35 USC 102, as being anticipated by Johnson. Johnson discloses a corn head having a feeding and picking device. The picking device comprises pairs of snapping rolls 40 located below stripper plates 50. The feeding device comprises pairs of gathering chains 31 having protruding fingers 32 for engaging the corn stalks. The examiner took the position that the gathering chains were rotated about a vertical axis located between the sprockets of the gathering chain.

To overcome this reference all three independent claims 1, 2 and 20 have been amended to call for a "...a rotating feeding element that is rotated about a vertical axis and comprises a body with outwardly extending fingers,". Johnson does not disclose a feeding element having a rotating body as such it cannot anticipate the independent claims or those claims depending therefrom.

The examiner noted that the remaining dependent claims 5-19 would be allowable if rewritten to overcome the indefiniteness rejection and include all intervening limitations from the rejected base claims.

"Version with Markings to Show Changes Made"

The paragraph on Page 2, lines 5-8

It is an object of the present invention to ~~provide~~provide a feeding and picking device which is able to work in fields not planted in rows, which has a simple design, and which can be safely operated.

1. A feeding and picking device for feeding and picking a standing agricultural crop wherein individual plants in the crop are provided with plant stalks, the device comprising a rotating feeding element that is rotated about a vertical axis and comprises a body with outwardly extending fingers, the rotating feeding element grasps plant stalks and directs the plant stalks to a picking device which separates useable parts from plant stalks, the picking device having an effective length, wherein rotating feeding element is designed to transport the plant throughout the effective length of the picking device.

2. A feeding and picking device for feeding and picking a standing agricultural crop wherein individual plants in the crop are provided with plant stalks, the device comprising a rotating feeding element that is rotated about a vertical axis and comprises a body with outwardly extending fingers, the rotating feeding element grasps plant stalks and directs the plant stalks to a picking device which separates useable parts from plant stalks, wherein the feeding device is designed to support the plant stalk while it is being processed by the picking device.

4. A feeding and picking device as defined by claim 3 wherein ~~the rotating feeding element is provided with number of fingers~~, gaps are formed between the outwardly extending fingers, ~~the gaps are designed to grasp plant stalks~~ are captured in the gaps, the gaps are sufficiently deep to ensure that they pass over the snapping channel as of the feeding element.

5. A feeding and picking device as defined by claim 4 wherein the device is provided with two rotating feeding elements, an upper feeding element and a lower feeding element, the upper feeding element has a direction of rotation, the upper feeding element is provided with outwardly extending fingers that are curved away from the direction of rotation.

6. A feeding and picking device as defined by claim 5 wherein the lower feeding element is located beneath an the upper feeding element.

8. A feeding and picking device as defined by claim 7 wherein the lower feeding element is provided with outwardly extending fingers that are curved towards the direction of rotation.

20. A crop harvesting machine having at least two feeding and picking devices, wherein each feeding and picking device feeds and picks a standing

agricultural crop wherein individual plants in the crop are provided with plant stalks, the device comprising a rotating feeding element that is rotated about a vertical axis and comprises a body with outwardly extending fingers, the rotating feeding element grasps plant stalks and directs the plant stalks to a the picking device which separates useable parts from plant stalks, the picking device having an effective length, wherein the rotating feeding element is designed to transport the plant throughout the effective length of the picking device.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

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Respectfully,



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